

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**COMCAST CABLE  
COMMUNICATIONS, LLC, TV WORKS,  
LLC, and COMCAST MO GROUP, INC.,  
Plaintiffs,**

**v.**

**SPRINT COMMUNICATIONS  
COMPANY, LP, SPRINT SPECTRUM,  
LP, and NEXTEL OPERATIONS, INC.,  
Defendants.**

**CIVIL ACTION**

**NO. 12-859**

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**SPRINT COMMUNICATIONS  
COMPANY, LP, and SPRINT  
SPECTRUM, LP,  
Counterclaim-Plaintiffs,**

**v.**

**COMCAST CABLE  
COMMUNICATIONS, LLC, COMCAST  
IP PHONE, LLC, COMCAST BUSINESS  
COMMUNICATIONS, LLC, and  
COMCAST CABLE COMMUNICATIONS  
MANAGEMENT, LLC,  
Counterclaim-Defendants.**

**CASE MANAGEMENT ORDER #5**

**AND NOW**, this 27th day of April, 2016, following a Status Conference with the parties, through counsel, on April 26, 2016, by agreement of the parties, **IT IS ORDERED** that the case shall proceed on the following schedule:

1. The deadline to complete the expert deposition of Mr. Nicholas P. Godici is **EXTENDED** until such time as his deposition may be scheduled in light of his illness. No extensions of the other deadlines in this Order will be granted due to this extension of time.

2. On or before May 6, 2016, the parties shall file and serve any motions for summary judgment, *Daubert* motions, and opening claim construction briefs on the disputed terms “cellular network” and “messaging server.” Each party is limited to a single motion for summary judgment not to exceed thirty-five (35) pages in length, a single *Daubert* motion not to exceed thirty (30) pages in length, and a single opening brief on claim construction of the disputed terms not to exceed fifteen (15) pages in length.

3. On or before May 27, 2016, the parties shall file and serve responses in opposition to summary judgment and *Daubert* motions, and responsive claim construction briefs on the disputed terms “cellular network” and “messaging server.” Each response in opposition to any motion for summary judgment is not to exceed twenty-five (25) pages in length, each response in opposition to any *Daubert* motion is not to exceed twenty (20) pages in length, and each responsive claim construction brief is not to exceed fifteen (15) pages in length.

4. On or before June 10, 2016, the parties shall file and serve replies in support of motions for summary judgment and *Daubert* motions. Each reply in support of any motion for summary judgment is not to exceed fifteen (15) pages in length and each reply in support of any *Daubert* motion is not to exceed ten (10) pages in length.

5. Oral argument on motions for summary judgment and *Daubert* motions and a *Markman* hearing on claim construction of the disputed terms “cellular network” and “messaging server” is **SCHEDULED** for Wednesday, June 22, 2016, at 10:00 a.m., in Courtroom 12-B, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106. In the event that the Court is conducting a previously scheduled criminal trial on June 22, 2016, oral argument and the *Markman* hearing are alternatively **SCHEDULED** for Wednesday, June 29, 2016, at 10:00 a.m., in Courtroom 12-B.

**IT IS FURTHER ORDERED** that a telephone status conference with liaison counsel is **SCHEDULED** for Wednesday, June 15, 2016, at 4:00 p.m. Liaison counsel for Sprint shall initiate the telephone conference. Any other attorneys who have entered an appearance in this case and are interested in participating in the telephone status conference may do so. The Court will address during the status conference any issues ripe for discussion at that time including, but not limited to, issues relating to the oral argument and *Markman* hearing. The parties may add specific issues to the agenda by letter to Chambers on or before June 13, 2016. The telephone status conference will be recorded.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**